

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

LILIYA HRABAR,

Plaintiff,

v.

PROCO "JOE" MORENO,

Defendant.

No. 2019L005293

**COMPLAINT AT LAW**

Plaintiff, LILIYA HRABAR, by her attorneys, WISE MORRISSEY, LLC, complaining of  
Defendant, PROCO "JOE" MORENO, states as follows:

**FACTS COMMON TO THE COMPLAINT**

1. Plaintiff, LILIYA HRABAR ("Plaintiff"), is an adult and resident of Des Plaines, Cook County, Illinois.
2. Defendant, PROCO "JOE" MORENO ("Defendant"), is 47 years of age and a resident of Chicago, Cook County, Illinois. He is the Alderman of the First Ward of the City of Chicago.
3. Plaintiff and Defendant had been involved in a relationship since the fall of 2018. Defendant had allowed Plaintiff to drive his 2016 Audi A6 for an extended period of time in the fall of 2018.
4. On January 4, 2019, Defendant falsely claimed that his vehicle had been stolen in a recorded call to the City of Chicago Office of Emergency Communications (hereinafter referred to as "OMEMC"). In that call Defendant identified himself, and provided his home address and mobile phone number.

5. The Defendant reported that he had last seen his 2016 Audi A6 parked in front of his residence on the 1300 block of North Leavitt on the evening of Wednesday, January 2, 2019, at approximately 9:00 p.m.

6. The Defendant stated that no one else had access to the vehicle and falsely claimed that his vehicle had been stolen.

7. The call operator informed the Defendant that his vehicle would be listed as stolen. The call operator also informed Defendant that anyone found driving the vehicle would be arrested.

8. The Defendant knowingly provided materially false information in this report. Less than 18 hours prior, he had lent the vehicle to the Plaintiff. In the late evening hours of January 3, 2019, the Defendant permitted Plaintiff with the use of the vehicle.

9. The Plaintiff took a ride share car to the Defendant's address that evening after he encouraged Plaintiff to come to his home to use the vehicle. Defendant handed the car keys to his vehicle to Plaintiff. Plaintiff then proceeded to Defendant's garage at his residence, where Defendant turned over the vehicle to Plaintiff and saw her drive away in his vehicle.

10. Shortly after Plaintiff drove away, the Defendant sent a text message to Plaintiff, cautioning her not to smoke in his vehicle.

11. After reporting the vehicle stolen to OMEMC, Defendant contacted Plaintiff about the possibility of meeting for dinner, as they had discussed after he gave her his vehicle hours earlier.

12. On January 4, 2016, Defendant called his insurance carrier to report his vehicle stolen less than one hour after calling OEMC. In that telephone call, Defendant reported that his vehicle had been taken from his garage.

13. Defendant was very clear that he was the last person to use the vehicle and he was

the only person with access to the car. Based upon Defendant's false claim, his insurance carrier was prepared to pay out over \$30,000 for the loss of the vehicle, however, the vehicle was recovered prior to the insurance payout.

14. In the early morning hours of February 4, 2019, the Chicago Police Department pulled over Plaintiff as she was driving the Defendant's Audi vehicle. Plaintiff was surprised by the officers when they informed her that the vehicle had been reported stolen. Plaintiff was readily able to identify the vehicle owner and she was in possession of the vehicle's keys.

15. Plaintiff pleaded with the police officers and showed them the text messages between her and Defendant. When the police officers had exhausted attempts to contact Defendant in person and through numerous phone calls, Plaintiff was arrested and charged with criminal trespass to a motor vehicle.

16. Later that day, Defendant admitted in a television news interview that he had provided the vehicle to someone with whom he had a relationship, which was diametrically opposed to his claims to OEMC and his insurance carrier.

17. Based on the statements of the Defendant, the Cook County State's Attorney's Office immediately dismissed the charge against Plaintiff, and the Chicago Police Department undertook an investigation into Defendant's conduct.

#### **COUNT I – NEGLIGENCE – DEFAMATION PER SE**

1-17. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 17 as through fully set forth in this Count I.

18. On or about January 4, 2019, Defendant, PROCO "JOE" MORENO, defamed the Plaintiff, LILIYA HRABAR, when he imputed that she committed a criminal offense based on the following:

- a. Intentionally contacted the OEMC and falsely reported that his vehicle had been stolen;
- b. Intentionally contacted the OEMC and falsely reported that his vehicle had been stolen when he knowingly and voluntarily gave Plaintiff possession of his vehicle on January 3, 2019;
- c. Knew that the Chicago Police Department would arrest the Plaintiff if she was found driving his vehicle;
- d. Damaged the Plaintiff when he falsely reported his vehicle stolen resulting in the Plaintiff's arrest for the offense of criminal trespass to a motor vehicle.

WHEREFORE, Plaintiff, LILIYA HRABAR, prays for judgment in her favor and against the Defendant, PROCO "JOE" MORENO, Individually, in a sum greater than \$50,000.00 plus costs of this suit.

### **COUNT II – MALICIOUS PROSECUTION**

1-17. Plaintiff restates, realleges and specifically incorporates paragraphs 1 through 17 as through fully set forth in this Count II.

18. On or about January 4, 2019, Defendant, PROCO "JOE" MORENO, knowingly and maliciously commenced and continued criminal proceedings against Plaintiff, LILIYA HRABAR, based on upon the following:

- a. Intentionally commenced a criminal proceeding by contacting the OEMC and falsely reported that his vehicle had been stolen;
- b. Intentionally contacted the OEMC and falsely reported that his vehicle had been stolen when he knowingly and voluntarily gave Plaintiff possession of his vehicle on January 3, 2019;
- c. Knew that the Chicago Police Department would arrest Plaintiff if she was found driving his vehicle;
- d. Plaintiff was arrested by the Chicago Police Department on February 4, 2019 for the offense of criminal trespass to vehicle. The Cook County State's Attorney's Office voluntarily dismissed the criminal charges on February 5, 2019.
- e. Plaintiff suffered damage to her reputation and lost numerous business clients as a result of Defendant's malicious actions.

WHEREFORE, Plaintiff, LILIYA HRABAR, prays for judgment in her favor and against the Defendant, PROCO "JOE" MORENO, Individually, in a sum greater than \$50,000.00 plus costs of this suit.

Respectfully submitted,

By:   
One of Plaintiff's Attorneys

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